

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

MICHAEL IZELL SEALS,

No. CV 04-3764 NJV

Plaintiff,

**ORDER REGARDING TRANSCRIPT
COSTS**

v.

OFFICER RODNEY K. MITCHELL, ET AL.,

Defendants.

Plaintiff Michael Izell Seals' application for leave to proceed *in forma pauperis* on appeal was granted on July 25, 2011. Doc. No. 284. "Fees for transcripts furnished in [civil] proceedings to persons permitted to appeal in forma pauperis shall [] be paid by the United States if the trial judge or a circuit judge certifies that the appeal is not frivolous (but presents a substantial question)." 28 U.S.C. § 753(f). The July 25, 2011 order contained no such certification. Since Section 753(f) requires certification, which the order did not contain, Plaintiff is not entitled to a waiver of the cost of transcripts.

IT IS SO ORDERED.

Dated: September 1, 2011



NANDOR J. VADAS
United States Magistrate Judge